

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 89A.3, the Elevator Safety Board hereby gives Notice of Intended Action to amend Chapter 72, “Conveyances Installed On or After January 1, 1975,” and Chapter 73, “Conveyances Installed Prior to January 1, 1975,” Iowa Administrative Code.

In March 2014, an elevator industry trade publication published a detailed study about children being trapped and seriously injured due to a weakness in applicable codes. The entrapment risk occurs primarily in elevators built to the residential elevator code, and today, elevators built to the residential code are not allowed in buildings under the Board’s jurisdiction. However, for a number of years Iowa law allowed residential elevators to be installed in public buildings. It is estimated that there are about 200 residential elevators operating in public buildings in Iowa.

The Elevator Safety Board (Board) studied this issue and effective June 3, 2015, implemented new rules requiring the installation of light curtains. Installation of light curtains proved to be more costly and difficult than was anticipated; and the Board again studied a method to minimize this hazard.

This proposed rule making would rescind the rules requiring light curtains and adopt instead a performance code. This proposal would require that if a door or gate deflects too much with the application of pressure, the door or gate must be repaired or replaced. It would also require that if the distance between the hoistway door or gate and the car door or gate exceeds 5 inches, an unspecified mechanism must be utilized to prevent operation of the elevator if a person is between the doors or gates.

The Board anticipates that many of the residential elevators that were impacted by the rules effective June 3, 2015, will not be impacted by these rules. The rules adopted earlier this year require a light curtain unless the car doors are a solid panel, regardless of the distance between the doors or gates. In some cases, two light curtains are required. Establishing a 5-inch space within which no action is required should reduce the number of affected elevators.

These proposed amendments do not specify the mechanism that must be used to prevent operation of the elevator when a person is between the doors or gates. This discretion should minimize the costs of compliance, as the least-costly, effective mechanism can be chosen.

Keeping door or gate deflection to a minimum is viewed as routine maintenance. Limits on door or gate deflection are contained in many of the elevator codes; however, there are gaps in applicability. These proposed amendments would cover those gaps.

The purposes of these amendments are to protect the health and safety of the public and implement legislative intent.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on January 26, 2016, a public hearing will be held on January 27, 2016, at 2:30 p.m. in the Capitol View Room at 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted by interested persons no later than January 27, 2016, to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to kathleen.uehling@iwd.iowa.gov.

No variance procedures are included in this rule. Applicable variance procedures are set forth in 875—Chapter 66.

After analysis and review of this rule making, an impact on jobs may occur. However, these rules are written to prevent a specific hazard to children with a minimum of expense.

These amendments are intended to implement Iowa Code chapter 89A.

The following amendments are proposed.

ITEM 1. Rescind rule 875—72.26(89A) and adopt the following **new** rule in lieu thereof:

875—72.26(89A) Child entrapment safeguards. This rule applies to a passenger elevator unless it has a car door consisting of a solid panel.

72.26(1) For purposes of this rule, “distance with deflection between the doors or gates” means the distance between the closed car door or gate and the closed hoistway door or gate measured at the greatest perpendicular distance with deflection.

72.26(2) For purposes of this rule, measurements of door or gate deflection shall be made in the manner described by ASME A17.1, section 2.14.4.6.

72.26(3) Door or gate deflection shall not exceed .75 inch.

72.26(4) If the distance with deflection between the doors or gates exceeds 5 inches, a means shall be provided to disable the elevator if a person is in the space between the closed doors or gates.

ITEM 2. Rescind rule 875—73.27(89A) and adopt the following **new** rule in lieu thereof:

875—73.27(89A) Child entrapment safeguards. This rule applies to a passenger elevator unless it has a car door consisting of a solid panel.

73.27(1) For purposes of this rule, “distance with deflection between the doors or gates” means the distance between the closed car door or gate and the closed hoistway door or gate measured at the greatest perpendicular distance with deflection.

73.27(2) For purposes of this rule, measurements of door or gate deflection shall be made in the manner described by ASME A17.1, section 2.14.4.6.

73.27(3) Door or gate deflection shall not exceed .75 inch.

73.27(4) If the distance with deflection between the doors or gates exceeds 5 inches, a means shall be provided to disable the elevator if a person is in the space between the closed doors or gates.